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Publications

International Labour Conventions
and
Canadian Legislation Concerning
Young Persons
Pt. 1

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Canada. Labour, Dept. of. Legislation Branch

Government
Publications

(CANADA, DEPARTMENT OF LABOUR)

INTERNATIONAL LABOUR CONVENTIONS
AND
CANADIAN LEGISLATION CONCERNING YOUNG PERSONS

Pt. I.

I. Minimum Age for Employment

LEGISLATION BRANCH

July, 1947.



INTERNATIONAL LABOUR CONVENTION STANDARDS AND CANADIAN
LEGISLATION CONCERNING YOUNG PERSONS

I. Minimum Age for Employment

A. International Labour Conventions

Industry Convention No. 59, 1937

15, in "industrial undertakings"

Includes mines, quarries, factories, shipbuilding, electrical works, construction of any kind, transport by road, rail or inland waterway.

Higher age or ages must be fixed for employment dangerous to life, health or morals.

Non-Industry Convention No. 60, 1937

15, or minimum school-leaving age if higher, in "non-industrial undertakings" with exception as below.

Includes all except "industrial undertakings," agriculture and employment on ocean-going vessels.

13, on light work not harmful to health, development or to school progress, but if under 14, not more than 2 hours a day and not on Sundays, legal public holidays or during the night (8 p.m.-8 a.m.). Work and school attendance may not occupy more than 7 hours a day.

"Light work" to be defined by national laws or regulations.

Higher age or ages must be fixed for employment dangerous to life, health or morals, including itinerant trading in streets and public places.

Agriculture Convention No. 10, 1921


14, in agriculture except outside school hours.

Sea Convention No. 7, 1920

14, on ocean-going vessels, except training-ships.

Sea Convention No. 58, Revised 1936

15, on ocean-going vessels, except training-ships.



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B. Dominion Legislation

At sea, 14

International Labour Convention, 1920, ratified by
Government of Canada on March 11, 1926.

C. Provincial Legislation

1. Industrial Undertakings

Alberta

Mines, in or about, 17

Factories, 15

Occupations likely to injure life, limbs, health,
education or morals, 16

British Columbia

Coal mines, in or about surface workings, 16

_____, below ground, 18

Metal mines, in or about, 15

_____, below ground, 18

Factories, shipyards, electrical plants, logging,
construction, road transport, 15
Except with permit setting forth conditions.

Manitoba

Mines, in or about, 16

_____, below ground, 18

Factories and general occupations, except with permit, 15

Occupations likely to injure life, limbs, health,
education or morals, 16

New Brunswick

Mines, below ground, 16

Factories, except with permit, 16

Nova Scotia

Coal mines, at face, 18; 17 $\frac{1}{2}$ under wartime regulations

_____, below ground, 17

Metal mines, in or about, 16

Factories, 14; 16, during school hours, except with
employment certificate

Ontario

Mines, in or about, 16

_____, below ground, 18

Factories, 14; 16, from 8 a.m. to 5 p.m., except with permit

Prince Edward Island

"Industrial undertakings", 15

Gives effect to International Labour Convention, 1937.

Quebec

Mines, below ground, 15

Industrial establishments, 14; 16, if unable to read and
write fluently, unless attending night school.

Saskatchewan

Coal mines, in workings, 15

Other mines, in or about, 16

_____, below ground, 18

Factories, 16

Dangerous Trades

The Government may prohibit the employment in dangerous or unwholesome work in British Columbia, Manitoba and Ontario of boys under 16 and girls under 18, in Saskatchewan of persons under 18, and in Nova Scotia of persons under 16. In New Brunswick, the Minister has similar power in respect to persons under 18. In Prince Edward Island the Government may fix a higher age than 15 for employment of persons under 18 which is dangerous to life, health or morals.

No regulations have been made in any of these Provinces.

In Quebec, where similar power is given for different age-groups, regulations have been made with respect to three age-groups:

1. No females and no boys under 18 may be employed in establishments of the following description:

Abattoirs; muriatic, nitric, and sulphuric acids; white arsenic; asphalt; benzine; crushing and barrelling cement; cleaning iron, brass or zinc with acids; crushing lime, plaster and stone; supervising dynamos; dynamite; fertilizers; flaying horse and other animals; flesh (refuse from abattoirs); gas; galvanizing iron; plating mirrors; Paris Green; dyeing skins; smelting and rolling iron, brass, lead, zinc; tallow; dipping iron pipes and wooden blocks in tar; white lead.

2. No girl under 18 or boy under 16 may be employed in establishments of the following description:

Boxing baking powder; bakeries; beating and cleaning wools; beating carpets; canning works (soldering boxes); cartridges; confectionery; cutlery; crystal; drugs; dry polishing iron, brass or horn; glue; elevators and hoists; marble; matches (mixing and dipping); oilcloth; oils; oxide of iron; rags; rubber works (varnishing); sand-papering wood by machinery; stamping sheet metal; skins and leather; tinning sheet-iron utensils; tinning wire; wood (working on edge tool machines).

3. Boys and girls over 14 may be employed:

(a) at general work in paint, rubber, shoe factories, stamping of sheet metal, wire;

(b) in match factories, except mixing and dipping, and cutlery, except work on molds; and, except on machines, in biscuits, canning works, confectionery, laundries and preparation of wood.

2. Non-industrial Undertakings

COMMERCIAL ESTABLISHMENTS

Alberta

Shops, hotels, restaurants, office buildings, 15

Barber shops, 16

Hotels and restaurants, girls, except with parent's
written consent, 18

British Columbia

Shops, catering, shoe-shine stands, automobile service
stations, 15
Except with permit setting forth conditions.

Manitoba

Retail or wholesale stores (including department stores and
mail order houses), hotels, restaurants, clubs, offices,
except with permit, 15

New Brunswick

Shops, hotels, restaurants, office buildings, except with
permit, 16

Ontario

Shops, restaurants, office buildings, 14; 16, from 8 a.m.
to 5 p.m., except with permit

Quebec

Shops, hotels, restaurants, or any trade or business, 14;
16, if unable to read and write fluently, unless
attending night school.

Saskatchewan

Hotels, restaurants, hospitals, nursing homes and educational
institutions, 16.

STREET TRADES

Alberta

Municipal councils may pass by-laws for licensing children under 18 as messengers, shoe-shiners, newsboys and vendors of small wares.

No license may be given to child under 12, nor, except with parents' consent, to child under 15. No licensee may work during school hours, or after 8 p.m., December-February, or after 9 p.m., March-November.

Penalty for causing child under 16 to be in public place to perform or sell articles.

The following may be apprehended and taken into custody:

- (1) girl of any age, boy under 12, or boy under 14 without parents' consent, who is selling newspapers or other articles in street or public place at any time;
- (2) child under 15 and over 7 who does not regularly attend school;
- (3) child under 18 found begging or carrying on street trade or loitering in public place after 9 p.m.

British Columbia

Municipal councils may pass by-laws fixing hour after which child of specified age may not be on streets.

Child under 18 may be apprehended who is found begging in street, house or place of public resort, whether actually begging or under pretext of offering anything for sale.

Manitoba

Municipal councils may pass by-laws for licensing children under 18 as messengers, newsboys, vendors of small wares or shoe-shiners.

No licence to girl under 18, to boy under 12, nor, except with parents' consent, to boy under 14. No licensee may work during school hours, or after 8 p.m. December-February or after 9 p.m. March-November.

Penalty for causing child under 18 to be in public place to perform or sell articles.

Child under 12 selling newspapers or other articles or distributing advertising matter in public places may be apprehended and taken into custody.

New Brunswick

Municipal councils may pass by-laws fixing hour after which children of specified age may not be in public place at night.

Commissioners of juvenile courts may make regulations concerning conditions under which children may engage in street trades, subject to approval of municipality.

Penalty for causing child under 16 to be in public place to beg, whether under pretence of performing or offering articles for sale.

Nova Scotia

City and town councils may pass by-laws regulating employment of children under 16 as messengers, newsboys and vendors of small wares; by-law must be approved by the Governor in Council.

Ontario

No girl under 16 and no boy under 12 may engage in or be licensed or permitted to engage in street trade or occupation.

No boy under 16 may engage in street trade 10 p.m.-6 a.m.

Boards of Police Commissioners in cities may pass by-laws for regulating children as messengers, vendors of small wares and boot-blacks.

Penalty for causing child under 16 to be in public place to perform or sell articles 9 p.m. - 7 a.m.

Child under 16 may be apprehended and taken into custody who is begging, carrying on street trade contrary to Act, or loitering in public place after 9 p.m.

Quebec

No child under 16 may sell newspapers or carry on street trade unless able to read and write fluently.
Exception up to 8 p.m. for those attending night school.

No child under 14 may be employed as messenger for shop or department store or telegraph company or to distribute hand-bills or advertisements.

No child under 16 may be so employed unless able to read and write fluently or unless attending night school.

Municipal councils may make by-laws to regulate employment of minors in streets and public places and to license newspaper carriers.

Saskatchewan

Municipal councils may pass by-laws licensing children as messengers, newsboys, vendors of small wares and boot-blacks.

No licence to girl under 18, to boy under 12, or except with parents' consent, to a boy under 14.

No female licensee may engage in street trade 7 p.m.-7a.m.

No male licensee may engage in street trade during school hours or after 8 p.m. December-February, or after 9 p.m. March-November.

Child under 16 may be taken into custody who is a habitual truant or who is found begging in street or place of public resort or loitering in public place after 10 p.m.

PLACES OF AMUSEMENT

Alberta

Billiard rooms and bowling-alleys, 18

Bowling-alleys, pin-setting, in wartime, 16 to 18, but only with parents' written consent.

Penalty for causing child under 16 to be in circus or other place of public amusement to perform or sell articles.

Child over 10 may be licensed for public entertainments under proper safeguards.

shall be subject to medical examination for fitness for employment, and the other methods of supervision to be adopted for ensuring the strict enforcement of the Convention.

B. Provincial Legislation

Only in Nova Scotia and Quebec is there such legislation applying specifically to young workers.

Nova Scotia

Education Act, 1915, stipulates that a child of 13 and over who satisfies the Board that he needs to work and who is attending night school may be exempt from school attendance. He must before engaging in employment obtain a certificate of physical fitness for such employment.

Quebec

Boys under 15 and girls under 18 may be required by the factory inspector to undergo an examination by a "sanitary physician" appointed under the Act or by any other doctor, and, as a result, the employee may be discharged as unfit.

General

There are also provisions which include adult workers.

In Quebec, no person may be employed in dusty trades without a medical examination or continue such employment unless he has an annual examination. In employment involving health risks examinations may be required at specified intervals. Where benzol is used, there must be annual examinations, and, where lead is used, continual medical supervision.

In New Brunswick, where there is risk of industrial disease, the Minister may order medical examinations and may forbid any person being employed in a specified factory unless he has had such examination.

In Alberta, Manitoba, Ontario and Saskatchewan, statutory regulations may require periodic examinations of persons employed in connection with benzol or other poisons or harmful processes. In the first three Provinces, such regulations permit the administrative authority or the Inspector to require examinations where lead or benzol is used.

Specific provisions in several Provinces require examination of workmen exposed to silica dust.

British Columbia

Places of amusement, 15

Except with permit, setting forth hours and working conditions.

Theatres, bowling-alleys, billiard and pool-rooms, swimming pools, etc., included.

Pool-rooms or billiard-rooms, outside municipality, 18

Manitoba

Places of amusement or bowling-alleys, except with permit, 15.

Includes theatres, amusement halls, dance halls, circuses, race tracks, hockey rinks, or grounds used for athletics or outdoor games.

Municipal councils may pass by-laws licensing pin-setters in bowling-alleys and juvenile performers in places of public entertainment.

No licence to girl under 18, to boy under 12, or without parents' consent to boy under 14. No licensee may work during school hours, or except juvenile performer, after 8 p.m. December-February, or after 9 p.m. March-November.

Penalty for causing child under 18, except with licence from municipality, to be in circus or place of public amusement to perform or sell articles.

New Brunswick

Places of amusement, except with Minister's permission, 16.

Ontario

Bowling-alloys, pool-rooms or billiard-parlours, 14;
16, in such places from 8 a.m. to 5 p.m., except with permit.

Penalty for causing child under 16 to be in circus, theatre or other place of public amusement to perform or sell articles.

Child over 10 may be licensed for public entertainments under proper safeguards.

Quebec

Theatres, moving-picture halls, clubs, amusement halls or arenas, 14; 16, in such places unless able to read and write fluently or attending night school.

Saskatchewan

Places of amusement, 16

Includes bowling-alleys, billiard halls, skating and curling rinks, dance halls, theatres, shooting galleries, etc.

Penalty for causing child under 16 to be in circus or other place of public amusement to perform or sell articles but, if there is inspection, licence may be granted for such hours as are deemed proper, not to exceed 7 in 24 hours.

Municipal councils may pass by-laws fixing age and conditions under which minor may be employed in any place of public resort in which billiard or pool-tables or bowling-alleys are kept for hire but none under 13 at night.

PLACES WHERE INTOXICANTS ARE SOLD

Alberta

21, in selling, handling or serving beer in licensed club, canteen or hotel.

British Columbia

21, in selling, handling or serving beer in licensed premises.

Manitoba

21, in selling, handling or serving beer in or about any beer parlour.

New Brunswick

Child under 16 who is employed in brewery, shop or other place where intoxicating liquors are made, bottled or sold may be apprehended and taken into custody.

Nova Scotia

Child under 16 who is employed in brewery, shop or other place where intoxicating liquors are made, bottled or sold may be apprehended and taken into custody.

Ontario

21, in serving liquor in any licensed premises.

Quebec

20, in selling beer by glass in tavern in city or town.

Saskatchewan

21, in selling, handling or serving beer in licensed premises.

